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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 JACK L. MORRIS, No. C 06-5015 SI (pr)  
9 Plaintiff, **ORDER**  
10 v.  
11 JOE McGRATH, warden; et al.,  
12 Defendants.

14 Plaintiff filed a motion to file an amendment to his complaint to correct the name of one  
15 of the defendants for whom he had provided an incorrect name in his complaint. The motion to  
16 amend is GRANTED in that the court permits the amendment to the complaint to change the  
17 name of defendant C. Brous to P. Brous. (Docket # 44.)

18 Plaintiff filed a "motion to commence discovery, establish briefing schedule for  
19 dispositive motions and seek completion of service." The motion is GRANTED in limited part.  
20 (Docket # 42.) The court already authorized the parties to commence discovery, so further  
21 authorization is unnecessary. See July 7, 2007 Order Regarding Discovery and Re-Setting  
22 Dispositive Motion Schedule, p. 1. A briefing schedule for dispositive motions will be set later  
23 in this order. As to completion of service of process, plaintiff sent to the court two completed  
24 custodian of records subpoenas for issuance, but due to an oversight at the court, the subpoenas  
25 were not issued and the date for compliance with them has passed. The clerk will return the  
26 unserved subpoenas as well as two blank subpoena forms to plaintiff. Plaintiff should fill out  
27 a new subpoenas with a new date (and place, if necessary) for production of the records and  
28 should delete any request for records about defendants who have been served with process

1 already. Plaintiff should then return the completed subpoenas to the clerk to have them issued.

2 The court now sets the following briefing schedule for dispositive motions:

3 1. Defendants must file and serve their dispositive motion no later than **August 1, 2008**.

4 2. Plaintiff must file and serve on defense counsel his opposition to the dispositive

5 motion no later than **September 12, 2008**.

6 3. Defendants must file and serve their reply brief, if any, no later than **September 26,**  
7 **2008.**

8 IT IS SO ORDERED.

9 Dated: May 13, 2008

  
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SUSAN ILLSTON  
United States District Judge